

highway mobile equipment, knowing that the identification number of such motor vehicle, equipment, or part has been removed, obliterated, tampered with, or altered;

shall be fined under this title or imprisoned not more than 10 years, or both.

(b) Subsection (a)(2) shall not apply if the removal, obliteration, tampering, or alteration—

(1) is caused by collision or fire; or

(2)(A) in the case of a motor vehicle, is not a violation of section 511 of this title (relating to altering or removing motor vehicle identification numbers); or

(B) in the case of off-highway mobile equipment, would not be a violation of section 511 of this title if such equipment were a motor vehicle.

(c) As used in this section, the term—

(1) “motor vehicle” has the meaning given that term in section 32101 of title 49;

(2) “off-highway mobile equipment” means any self-propelled agricultural equipment, self-propelled construction equipment, and self-propelled special use equipment, used or designed for running on land but not on rail or highway;

(3) “vessel” has the meaning given that term in section 401 of the Tariff Act of 1930 (19 U.S.C. 1401);

(4) “aircraft” has the meaning given that term in section 40102(a) of title 49; and

(5) “identification number”—

(A) in the case of a motor vehicle, has the meaning given that term in section 511 of this title; and

(B) in the case of any other vehicle or equipment covered by this section, means a number or symbol assigned to the vehicle or equipment, or part thereof, by the manufacturer primarily for the purpose of identifying such vehicle, equipment, or part.

(Added Pub. L. 98-547, title III, §301(a), Oct. 25, 1984, 98 Stat. 2771; amended Pub. L. 100-690, title VII, §7021, Nov. 18, 1988, 102 Stat. 4396; Pub. L. 102-519, title I, §102, Oct. 25, 1992, 106 Stat. 3385; Pub. L. 103-272, §5(e)(5), July 5, 1994, 108 Stat. 1374.)

AMENDMENTS

1994—Subsec. (c)(1). Pub. L. 103-272, §5(e)(5)(A), substituted “section 32101 of title 49” for “section 2 of the Motor Vehicle Information and Cost Savings Act”.

Subsec. (c)(4). Pub. L. 103-272, §5(e)(5)(B), substituted “section 40102(a) of title 49” for “section 101 of the Federal Aviation Act of 1958 (49 U.S.C. App. 1301)”.

1992—Subsec. (a). Pub. L. 102-519 substituted “fined under this title or imprisoned not more than 10 years” for “fined not more than \$15,000 or imprisoned not more than five years” in concluding provisions.

1988—Subsec. (b)(2). Pub. L. 100-690 amended par. (2) generally. Prior to amendment, par. (2) read as follows: “is not a violation of section 511 of this title.”

§ 554. Smuggling goods from the United States

(a) IN GENERAL.—Whoever fraudulently or knowingly exports or sends from the United States, or attempts to export or send from the United States, any merchandise, article, or object contrary to any law or regulation of the United States, or receives, conceals, buys, sells, or in any manner facilitates the transportation,

concealment, or sale of such merchandise, article or object, prior to exportation, knowing the same to be intended for exportation contrary to any law or regulation of the United States, shall be fined under this title, imprisoned not more than 10 years, or both.

(b) DEFINITION.—In this section, the term “United States” has the meaning given that term in section 545.

(Added Pub. L. 109-177, title III, §311(a), Mar. 9, 2006, 120 Stat. 242.)

CODIFICATION

Another section 554 was renumbered section 555 of this title.

§ 555. Border tunnels and passages

(a) Any person who knowingly constructs or finances the construction of a tunnel or subterranean passage that crosses the international border between the United States and another country, other than a lawfully authorized tunnel or passage known to the Secretary of Homeland Security and subject to inspection by Immigration and Customs Enforcement, shall be fined under this title and imprisoned for not more than 20 years.

(b) Any person who knows or recklessly disregards the construction or use of a tunnel or passage described in subsection (a) on land that the person owns or controls shall be fined under this title and imprisoned for not more than 10 years.

(c) Any person who uses a tunnel or passage described in subsection (a) to unlawfully smuggle an alien, goods (in violation of section 545), controlled substances, weapons of mass destruction (including biological weapons), or a member of a terrorist organization (as defined in section 2339B(g)(6)) shall be subject to a maximum term of imprisonment that is twice the maximum term of imprisonment that would have otherwise been applicable had the unlawful activity not made use of such a tunnel or passage.

(Added Pub. L. 109-295, title V, §551(a), Oct. 4, 2006, 120 Stat. 1389, §554; renumbered §555, Pub. L. 110-161, div. E, title V, §553(a)(1), Dec. 26, 2007, 121 Stat. 2082.)

AMENDMENTS

2007—Pub. L. 110-161 renumbered section 554, relating to border tunnels and passages, as this section.

CHAPTER 29—ELECTIONS AND POLITICAL ACTIVITIES

Sec.	
[591.	Repealed.]
592.	Troops at polls.
593.	Interference by armed forces.
594.	Intimidation of voters.
595.	Interference by administrative employees of Federal, State, or Territorial Governments.
596.	Polling armed forces.
597.	Expenditures to influence voting.
598.	Coercion by means of relief appropriations.
599.	Promise of appointment by candidate.
600.	Promise of employment or other benefit for political activity.
601.	Deprivation of employment or other benefit for political contribution.
602.	Solicitation of political contributions.
603.	Making political contributions.

- Sec.
 604. Solicitation from persons on relief.
 605. Disclosure of names of persons on relief.
 606. Intimidation to secure political contributions.
 607. Place of solicitation.
 608. Absent uniformed services voters and overseas voters.
 609. Use of military authority to influence vote of member of Armed Forces.
 610. Coercion of political activity.
 611. Voting by aliens.
 [612 to 617. Repealed.]

SENATE REVISION AMENDMENT

By Senate amendment, item 610 was changed to read, "610. Contributions or expenditures by national banks, corporations, or labor organizations". See Senate Report No. 1620, amendment Nos. 4 and 5, 80th Cong.

AMENDMENTS

1996—Pub. L. 104-208, div. C, title II, § 216(b), Sept. 30, 1996, 110 Stat. 3009-573, added item 611.

1993—Pub. L. 103-94, § 4(c)(2), Oct. 6, 1993, 107 Stat. 1005, added item 610.

1990—Pub. L. 101-647, title XXXV, § 3516, Nov. 29, 1990, 104 Stat. 4923, substituted "Making political contributions" for "Place of solicitation" in item 603 and "Place of solicitation" for "Making political contributions" in item 607.

1986—Pub. L. 99-410, title II, § 202(b), Aug. 28, 1986, 100 Stat. 929, added items 608 and 609.

1980—Pub. L. 96-187, title II, § 201(a)(2), Jan. 8, 1980, 93 Stat. 1367, struck out item 591 "Definitions".

1976—Pub. L. 94-453, § 2, Oct. 2, 1976, 90 Stat. 1517, substituted "political contribution" for "political activity" in item 601.

Pub. L. 94-283 title II, § 201(b), May 11, 1976, 90 Stat. 496, struck out items "608. Limitations on contributions and expenditures", "610. Contributions or expenditures by national banks, corporations or labor organizations", "611. Contributions by Government contractors", "612. Publication or distribution of political statements", "613. Contributions by foreign nationals", "614. Prohibition of contributions in name of another", "615. Limitation on contributions of currency", "616. Acceptance of excessive honorariums", and "617. Fraudulent misrepresentation of campaign authority".

1974—Pub. L. 93-443, title I, § 101(d)(4)(B), (f)(3), Oct. 15, 1974, 88 Stat. 1267, 1268, substituted "Contributions by foreign nationals" for "Contributions by agents of foreign principals" in item 613, and added items 614 to 617.

1972—Pub. L. 92-225, title II, § 207, Feb. 7, 1972, 86 Stat. 11, substituted "contributions and expenditures" for "political contributions and purchases" in item 608, "Repealed" for "Maximum contributions and expenditures" in item 609, and "Government contractors" for "firms or individuals contracting with the United States" in item 611.

1966—Pub. L. 89-486, § 8(c)(1), July 4, 1966, 80 Stat. 249, added item 613.

STATE LAWS AFFECTED; DEFINITIONS

Section 104 of Pub. L. 93-443 provided that:

"(a) The provisions of chapter 29 of title 18, United States Code, relating to elections and political activities, supersede and preempt any provision of State law with respect to election to Federal office.

"(b) For purposes of this section, the terms 'election', 'Federal office', and 'State' have the meanings given them by section 591 of title 18, United States Code."

[§ 591. Repealed. Pub. L. 96-187, title II, § 201(a)(1), Jan. 8, 1980, 93 Stat. 1367]

Section, acts June 25, 1948, ch. 645, 62 Stat. 719; May 24, 1949, ch. 139, § 9, 63 Stat. 90; Sept. 22, 1970, Pub. L. 91-405, title II, § 204(d)(4), 84 Stat. 853; Feb. 7, 1972, Pub.

L. 92-225, title II, § 201, 86 Stat. 8; Oct. 15, 1974, Pub. L. 93-443, title I, §§ 101(f)(2), 102, 88 Stat. 1268, 1269; May 11, 1976, Pub. L. 94-283, title I, § 115(g), title II, § 202, 90 Stat. 496, 497, defined terms applicable to prohibitions respecting elections and political activities.

EFFECTIVE DATE OF REPEAL

Repeal effective Jan. 8, 1980, see section 301(a) of Pub. L. 96-187, set out as an Effective Date of 1980 Amendment note under section 431 of Title 2, The Congress.

§ 592. Troops at polls

Whoever, being an officer of the Army or Navy, or other person in the civil, military, or naval service of the United States, orders, brings, keeps, or has under his authority or control any troops or armed men at any place where a general or special election is held, unless such force be necessary to repel armed enemies of the United States, shall be fined under this title or imprisoned not more than five years, or both; and be disqualified from holding any office of honor, profit, or trust under the United States.

This section shall not prevent any officer or member of the armed forces of the United States from exercising the right of suffrage in any election district to which he may belong, if otherwise qualified according to the laws of the State in which he offers to vote.

(June 25, 1948, ch. 645, 62 Stat. 719; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 55 and 59 (Mar. 4, 1909, ch. 321, §§ 22, 26, 35 Stat. 1092, 1093).

This section consolidates sections 55 and 59 of title 18, U.S.C., 1940 ed.

Mandatory punishment provision was rephrased in the alternative.

In second paragraph, words "or member of the Armed Forces of the United States" were substituted for "soldier, sailor, or marine" so as to cover those auxiliaries which are now component parts of the Army and Navy.

Changes in phraseology were also made.

AMENDMENTS

1994—Pub. L. 103-322 substituted "fined under this title" for "fined not more than \$5,000".

§ 593. Interference by armed forces

Whoever, being an officer or member of the Armed Forces of the United States, prescribes or fixes or attempts to prescribe or fix, whether by proclamation, order or otherwise, the qualifications of voters at any election in any State; or

Whoever, being such officer or member, prevents or attempts to prevent by force, threat, intimidation, advice or otherwise any qualified voter of any State from fully exercising the right of suffrage at any general or special election; or

Whoever, being such officer or member, orders or compels or attempts to compel any election officer in any State to receive a vote from a person not legally qualified to vote; or

Whoever, being such officer or member, imposes or attempts to impose any regulations for conducting any general or special election in a State, different from those prescribed by law; or

Whoever, being such officer or member, interferes in any manner with an election officer's discharge of his duties—

Shall be fined under this title or imprisoned not more than five years, or both; and disqualified from holding any office of honor, profit or trust under the United States.

This section shall not prevent any officer or member of the Armed Forces from exercising the right of suffrage in any district to which he may belong, if otherwise qualified according to the laws of the State of such district.

(June 25, 1948, ch. 645, 62 Stat. 719; Pub. L. 103-322, title XXXIII, §330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§56-59 (Mar. 4, 1909, ch. 321, §§23-26, 35 Stat. 1092, 1093).

Four sections were consolidated with only such changes of phraseology as were necessary to effect the consolidation.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$5,000” in sixth par.

§ 594. Intimidation of voters

Whoever intimidates, threatens, coerces, or attempts to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, Delegate from the District of Columbia, or Resident Commissioner, at any election held solely or in part for the purpose of electing such candidate, shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 720; Pub. L. 91-405, title II, §204(d)(5), Sept. 22, 1970, 84 Stat. 853; Pub. L. 103-322, title XXXIII, §330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§61, 61g (Aug. 2, 1939, 11:50 a.m. E.S.T., ch. 410, §§1, 8, 53 Stat. 1147, 1148).

This section consolidates sections 61 and 61g of title 18, U.S.C., 1940 ed., with changes in phraseology only.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$1,000”.

1970—Pub. L. 91-405 substituted “Delegate from the District of Columbia, or Resident Commissioner” for “Delegates or Commissioners from the Territories and possessions”.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-405 effective Sept. 22, 1970, see section 206(b) of Pub. L. 91-405, set out as an Effective Date note under section 25a of Title 2, The Congress.

§ 595. Interference by administrative employees of Federal, State, or Territorial Governments

Whoever, being a person employed in any administrative position by the United States, or by any department or agency thereof, or by the District of Columbia or any agency or instrumentality thereof, or by any State, Territory, or Possession of the United States, or any political

subdivision, municipality, or agency thereof, or agency of such political subdivision or municipality (including any corporation owned or controlled by any State, Territory, or Possession of the United States or by any such political subdivision, municipality, or agency), in connection with any activity which is financed in whole or in part by loans or grants made by the United States, or any department or agency thereof, uses his official authority for the purpose of interfering with, or affecting, the nomination or the election of any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, Delegate from the District of Columbia, or Resident Commissioner, shall be fined under this title or imprisoned not more than one year, or both.

This section shall not prohibit or make unlawful any act by any officer or employee of any educational or research institution, establishment, agency, or system which is supported in whole or in part by any state or political subdivision thereof, or by the District of Columbia or by any Territory or Possession of the United States; or by any recognized religious, philanthropic or cultural organization.

(June 25, 1948, ch. 645, 62 Stat. 720; Pub. L. 91-405, title II, §204(d)(6), Sept. 22, 1970, 84 Stat. 853; Pub. L. 103-322, title XXXIII, §330016(1)(H), (L), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§61a, 61g, 61n, 61s, 61u (Aug. 2, 1939, 11:50 a.m., E.S.T., ch. 410, §§2, 8, 53 Stat. 1147, 1148; July 19, 1940, ch. 640, §1, 54 Stat. 767; Aug. 2, 1939, ch. 410, §§14, 19, as added July 19, 1940, ch. 640, §4, 54 Stat. 767; Aug. 2, 1939, ch. 410, §21, as added Oct. 24, 1942, ch. 620, 56 Stat. 986).

This section consolidates sections 61s, 61n, and 61g with 61a, all of title 18, U.S.C., 1940 ed., in first paragraph, and incorporates section 61u as second paragraph.

Words “or agency thereof” and words “or any department or agency thereof” were inserted to remove any possible ambiguity as to scope of section. (See definitions of department and agency in section 6 of this title.)

Words “or by the District of Columbia or any agency or instrumentality thereof” were inserted upon authority of section 61n of title 18, U.S.C., 1940 ed., which provided that for the purposes of this section, “persons employed in the government of the District of Columbia shall be deemed to be employed in the executive branch of the Government of the United States.”

After “State” the words “Territory, or Possession of the United States” were inserted in two places upon authority of section 61s of title 18, U.S.C., 1940 ed., which defined “State,” as used in this section, as “any State, Territory, or possession of the United States.”

The punishment provision was derived from section 61g of title 18, U.S.C., 1940 ed., which, by reference, made this punishment applicable to this section.

The second paragraph was derived from section 61u of title 18, U.S.C., 1940 ed., which made its provisions applicable to this section by reference.

Changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322, §330016(1)(L), which directed the amendment of this section by substituting “under this title” for “not more than \$10,000”, could not be executed because the phrase “not more than \$10,000” does not appear in text.

Pub. L. 103-322, §330016(1)(H), substituted “fined under this title” for “fined not more than \$1,000” in first par.

1970—Pub. L. 91-405 substituted reference to Delegate from District of Columbia or Resident Commissioner for Delegate or Resident Commissioner from any Territory or Possession.

EFFECTIVE DATE OF 1970 AMENDMENT

Amendment by Pub. L. 91-405 effective Sept. 22, 1970, see section 206(b) of Pub. L. 91-405, set out as an Effective Date note under section 25a of Title 2, The Congress.

§ 596. Polling armed forces

Whoever, within or without the Armed Forces of the United States, polls any member of such forces, either within or without the United States, either before or after he executes any ballot under any Federal or State law, with reference to his choice of or his vote for any candidate, or states, publishes, or releases any result of any purported poll taken from or among the members of the Armed Forces of the United States or including within it the statement of choice for such candidate or of such votes cast by any member of the Armed Forces of the United States, shall be fined under this title or imprisoned for not more than one year, or both.

The word “poll” means any request for information, verbal or written, which by its language or form of expression requires or implies the necessity of an answer, where the request is made with the intent of compiling the result of the answers obtained, either for the personal use of the person making the request, or for the purpose of reporting the same to any other person, persons, political party, unincorporated association or corporation, or for the purpose of publishing the same orally, by radio, or in written or printed form.

(June 25, 1948, ch. 645, 62 Stat. 720; Pub. L. 103-322, title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on section 344 of title 50, U.S.C., 1940 ed., War and National Defense (Sept. 16, 1942, ch. 561, title III, § 314, as added Apr. 1, 1944, ch. 150, 58 Stat. 146).

Changes in phraseology were made.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$1,000” in first par.

§ 597. Expenditures to influence voting

Whoever makes or offers to make an expenditure to any person, either to vote or withhold his vote, or to vote for or against any candidate; and

Whoever solicits, accepts, or receives any such expenditure in consideration of his vote or the withholding of his vote—

Shall be fined under this title or imprisoned not more than one year, or both; and if the violation was willful, shall be fined under this title or imprisoned not more than two years, or both.

(June 25, 1948, ch. 645, 62 Stat. 721; Pub. L. 103-322, title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 104-294, title VI, § 601(a)(12), Oct. 11, 1996, 110 Stat. 3498.)

HISTORICAL AND REVISION NOTES

Based on sections 250, 252, of title 2, U.S.C., 1940 ed., The Congress (Feb. 28, 1925, ch. 368, title III, §§ 311, 314, 43 Stat. 1073, 1074).

This section consolidates the provisions of sections 250 and 252 of title 2, U.S.C., 1940 ed., The Congress.

Reference to persons causing or procuring was omitted as unnecessary in view of definition of “principal” in section 2 of this title.

The punishment provisions of section 252 of title 2, U.S.C., 1940 ed., The Congress, were incorporated at end of section upon authority of reference in such section making them applicable to this section.

Words “or both” were added to conform to the almost universal formula of the punishment provisions of this title.

Changes were made in phraseology.

AMENDMENTS

1996—Pub. L. 104-294 substituted “shall be fined under this title” for “shall be fined not more than \$10,000” in last par.

1994—Pub. L. 103-322 substituted “shall be fined under this title” for “shall be fined not more than \$1,000” in last par.

§ 598. Coercion by means of relief appropriations

Whoever uses any part of any appropriation made by Congress for work relief, relief, or for increasing employment by providing loans and grants for public-works projects, or exercises or administers any authority conferred by any Appropriation Act for the purpose of interfering with, restraining, or coercing any individual in the exercise of his right to vote at any election, shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 721; Pub. L. 103-322, title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 61f, 61g (Aug. 2, 1939, 11:50 a.m., E.S.T., ch. 410, §§ 7, 8, 53 Stat. 1148).

This section consolidates sections 61f and 61g of title 18, U.S.C., 1940 ed., with changes of phraseology necessary to effect consolidation.

The punishment provision was derived from section 61g of title 18, U.S.C., 1940 ed., which, by reference, was made applicable to this section.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$1,000”.

§ 599. Promise of appointment by candidate

Whoever, being a candidate, directly or indirectly promises or pledges the appointment, or the use of his influence or support for the appointment of any person to any public or private position or employment, for the purpose of procuring support in his candidacy shall be fined under this title or imprisoned not more than one year, or both; and if the violation was willful, shall be fined under this title or imprisoned not more than two years, or both.

(June 25, 1948, ch. 645, 62 Stat. 721; Pub. L. 103-322, title XXXIII, § 330016(1)(H), (L), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on sections 249, 252, of title 2, U.S.C., 1940 ed., The Congress (Feb. 28, 1925, ch. 368, title III, §§ 310, 314, 43 Stat. 1073, 1074).

This section consolidates the provisions of sections 249 and 252 of title 2, U.S.C., 1940 ed., The Congress, with changes in arrangement and phraseology necessary to effect consolidation.

Words “or both” were added to conform to the almost universal formula of the punishment provisions of this title.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$1,000” after “candidacy shall be” and for “fined not more than \$10,000” after “willful, shall be”.

§ 600. Promise of employment or other benefit for political activity

Whoever, directly or indirectly, promises any employment, position, compensation, contract, appointment, or other benefit, provided for or made possible in whole or in part by any Act of Congress, or any special consideration in obtaining any such benefit, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in connection with any general or special election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office, shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 721; Pub. L. 92-225, title II, § 202, Feb. 7, 1972, 86 Stat. 9; Pub. L. 94-453, § 3, Oct. 2, 1976, 90 Stat. 1517; Pub. L. 103-322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 61b, 61g (Aug. 2, 1939, 11:50 a.m., E.S.T., ch. 410, §§ 3, 8, 53 Stat. 1147, 1148). This section consolidates sections 61b and 61g of title 18, U.S.C., 1940 ed.

Minor changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$10,000”.

1976—Pub. L. 94-453 substituted \$10,000 for \$1,000 maximum allowable fine.

1972—Pub. L. 92-225 struck out “work,” after “position,” inserted “contract, appointment,” after “compensation,” and “or any special consideration in obtaining any such benefit,” after “Act of Congress,” and substituted “in connection with any general or special election to any political office, or in connection with any primary election or political convention or caucus held to select candidates for any political office” for “in any election”.

EFFECTIVE DATE OF 1972 AMENDMENT

Amendment by Pub. L. 92-225 effective Dec. 31, 1971, or sixty days after date of enactment [Feb. 7, 1972], whichever is later, see section 408 of Pub. L. 92-225, set out as an Effective Date note under section 431 of Title 2, The Congress.

§ 601. Deprivation of employment or other benefit for political contribution

(a) Whoever, directly or indirectly, knowingly causes or attempts to cause any person to make a contribution of a thing of value (including services) for the benefit of any candidate or any political party, by means of the denial or deprivation, or the threat of the denial or deprivation, of—

(1) any employment, position, or work in or for any agency or other entity of the Govern-

ment of the United States, a State, or a political subdivision of a State, or any compensation or benefit of such employment, position, or work; or

(2) any payment or benefit of a program of the United States, a State, or a political subdivision of a State;

if such employment, position, work, compensation, payment, or benefit is provided for or made possible in whole or in part by an Act of Congress, shall be fined under this title, or imprisoned not more than one year, or both.

(b) As used in this section—

(1) the term “candidate” means an individual who seeks nomination for election, or election, to Federal, State, or local office, whether or not such individual is elected, and, for purposes of this paragraph, an individual shall be deemed to seek nomination for election, or election, to Federal, State, or local office, if he has (A) taken the action necessary under the law of a State to qualify himself for nomination for election, or election, or (B) received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office;

(2) the term “election” means (A) a general, special primary, or runoff election, (B) a convention or caucus of a political party held to nominate a candidate, (C) a primary election held for the selection of delegates to a nominating convention of a political party, (D) a primary election held for the expression of a preference for the nomination of persons for election to the office of President, and (E) the election of delegates to a constitutional convention for proposing amendments to the Constitution of the United States or of any State; and

(3) the term “State” means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States.

(June 25, 1948, ch. 645, 62 Stat. 721; Pub. L. 94-453, § 1, Oct. 2, 1976, 90 Stat. 1516; Pub. L. 103-322, title XXXIII, § 330016(1)(L), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 61c, 61g (Aug. 2, 1939, 11:50 a.m., E.S.T., ch. 410, §§ 4, 8, 53 Stat. 1147, 1148).

This section consolidates sections 61c and 61g of title 18, U.S.C., 1940 ed.

The words “except as required by law” were used as sufficient to cover the reference to the exception made to the provisions of subsection (b), section 61h of title 18, U.S.C., 1940 ed., which expressly prescribes the circumstances under which a person may be lawfully deprived of his employment and compensation therefor.

Changes were made in phraseology.

AMENDMENTS

1994—Subsec. (a). Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$10,000” in concluding provisions.

1976—Pub. L. 94-453 struck out provisions relating to deprivations based upon race, creed, and color which are now set out in section 246 of this title, replaced term “political activity” with more precise terms and definitions, and raised the amount of maximum fine from \$1,000 to \$10,000.

§ 602. Solicitation of political contributions

(a) It shall be unlawful for—

- (1) a candidate for the Congress;
- (2) an individual elected to or serving in the office of Senator or Representative in, or Delegate or Resident Commissioner to, the Congress;
- (3) an officer or employee of the United States or any department or agency thereof; or
- (4) a person receiving any salary or compensation for services from money derived from the Treasury of the United States; to knowingly solicit any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 from any other such officer, employee, or person. Any person who violates this section shall be fined under this title or imprisoned not more than 3 years, or both.

(b) The prohibition in subsection (a) shall not apply to any activity of an employee (as defined in section 7322(1) of title 5) or any individual employed in or under the United States Postal Service or the Postal Regulatory Commission, unless that activity is prohibited by section 7323 or 7324 of such title.

(June 25, 1948, ch. 645, 62 Stat. 722; Pub. L. 96-187, title II, §201(a)(3), Jan. 8, 1980, 93 Stat. 1367; Pub. L. 103-94, §4(a), Oct. 6, 1993, 107 Stat. 1004; Pub. L. 103-322, title XXXIII, §330016(1)(K), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 109-435, title VI, §604(f), Dec. 20, 2006, 120 Stat. 3242.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§208, 212 (Mar. 4, 1909, ch. 321, §§118, 122, 35 Stat. 1110; Feb. 28, 1925, ch. 368, §312, 43 Stat. 1073).

This section consolidates sections 208 and 212 of title 18, U.S.C., 1940 ed.

This section, like section 201 of this title, was expanded to embrace all officers or persons acting on behalf of any independent agencies or Government-owned or controlled corporations by inserting words “or any department or agency thereof.” (See definitive section 6 of this title.)

The punishment provision was taken from section 212 of title 18, U.S.C., 1940 ed., which, by reference, made the punishment applicable to the crime described in this section.

Changes were made in phraseology.

REFERENCES IN TEXT

Section 301(8) of the Federal Election Campaign Act of 1971, referred to in subsec. (a)(4), is classified to section 431(8) of Title 2, The Congress.

AMENDMENTS

2006—Subsec. (b). Pub. L. 109-435 substituted “Postal Regulatory Commission” for “Postal Rate Commission”.

1994—Pub. L. 103-322, which directed the amendment of this section by substituting “under this title” for “not more than \$5,000”, could not be executed because the phrase “not more than \$5,000” does not appear in text. See 1993 Amendment note below.

1993—Pub. L. 103-94 designated existing provisions as subsec. (a), substituted “; to knowingly solicit any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 from any other such officer, employee, or person. Any person who violates this section shall be fined under this title or imprisoned not more than 3 years, or both” for “to know-

ingly solicit, any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 from any other such officer, employee, or person. Any person who violates this section shall be fined not more than \$5,000 or imprisoned not more than three years, or both” in par. (4), and added subsec. (b).

1980—Pub. L. 96-187 amended section generally to conform its terms to revision of the Federal Election Campaign Act of 1971 by title I of Pub. L. 96-187.

EFFECTIVE DATE OF 1993 AMENDMENT; SAVINGS PROVISION

Amendment by Pub. L. 103-94 effective 120 days after Oct. 6, 1993, but not to release or extinguish any penalty, forfeiture, or liability incurred under amended provision, which is to be treated as remaining in force for purpose of sustaining any proper proceeding or action for enforcement of that penalty, forfeiture, or liability, and no provision of Pub. L. 103-94 to affect any proceedings with respect to which charges were filed on or before 120 days after Oct. 6, 1993, with orders to be issued in such proceedings and appeals taken therefrom as if Pub. L. 103-94 had not been enacted, see section 12 of Pub. L. 103-94, set out as an Effective Date; Savings Provision note under section 7321 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-187 effective Jan. 8, 1980, see section 301(a) of Pub. L. 96-187, set out as a note under section 431 of Title 2, The Congress.

§ 603. Making political contributions

(a) It shall be unlawful for an officer or employee of the United States or any department or agency thereof, or a person receiving any salary or compensation for services from money derived from the Treasury of the United States, to make any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 to any other such officer, employee or person or to any Senator or Representative in, or Delegate or Resident Commissioner to, the Congress, if the person receiving such contribution is the employer or employing authority of the person making the contribution. Any person who violates this section shall be fined under this title or imprisoned not more than three years, or both.

(b) For purposes of this section, a contribution to an authorized committee as defined in section 302(e)(1) of the Federal Election Campaign Act of 1971 shall be considered a contribution to the individual who has authorized such committee.

(c) The prohibition in subsection (a) shall not apply to any activity of an employee (as defined in section 7322(1) of title 5) or any individual employed in or under the United States Postal Service or the Postal Regulatory Commission, unless that activity is prohibited by section 7323 or 7324 of such title.

(June 25, 1948, ch. 645, 62 Stat. 722; Oct. 31, 1951, ch. 655, §20(b), 65 Stat. 718; Pub. L. 96-187, title II, §201(a)(4), Jan. 8, 1980, 93 Stat. 1367; Pub. L. 103-94, §4(b), Oct. 6, 1993, 107 Stat. 1005; Pub. L. 103-322, title XXXIII, §330016(1)(K), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 109-435, title VI, §604(f), Dec. 20, 2006, 120 Stat. 3242.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§209, 212 (Mar. 4, 1909, ch. 321, §§119, 122, 35 Stat. 1110).

This section consolidates sections 209 and 212 of title 18, U.S.C., 1940 ed., without change of substance.

To eliminate ambiguity resulting from use of identical words in reference “officer or employee of the United States mentioned in section 208 of this title” as those appearing in section 208 of title 18, U.S.C., 1940 ed., now section 602 of this title, words “person mentioned in section 602 of this title” were inserted.

Words “from any such person” were inserted after “purpose”, so as to make it clear that the section does not embrace State employees in its provisions. Some Federal agencies are located in State buildings occupied by State employees.

The punishment provision was derived from section 212 of title 18, U.S.C., 1940 ed. (See reviser’s note under section 602 of this title.)

Minor changes were made in phraseology.

REFERENCES IN TEXT

Section 301(8) of the Federal Election Campaign Act of 1971, referred to in subsec. (a), is classified to section 431(8) of Title 2, The Congress.

Section 302(e)(1) of the Federal Election Campaign Act of 1971, referred to in subsec. (b), is classified to section 432(e)(1) of Title 2.

AMENDMENTS

2006—Subsec. (c). Pub. L. 109-435 substituted “Postal Regulatory Commission” for “Postal Rate Commission”.

1994—Subsec. (a). Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$5,000”.

1993—Subsec. (c). Pub. L. 103-94 added subsec. (c).

1980—Pub. L. 96-187 substituted provisions relating to the making of political contributions for provisions relating to the place of solicitation. See section 607 of this title.

1951—Act Oct. 31, 1951, struck out “from any such person” after “purpose”.

EFFECTIVE DATE OF 1993 AMENDMENT; SAVINGS PROVISION

Amendment by Pub. L. 103-94 effective 120 days after Oct. 6, 1993, but not to release or extinguish any penalty, forfeiture, or liability incurred under amended provision, which is to be treated as remaining in force for purpose of sustaining any proper proceeding or action for enforcement of that penalty, forfeiture, or liability, and no provision of Pub. L. 103-94 to affect any proceedings with respect to which charges were filed on or before 120 days after Oct. 6, 1993, with orders to be issued in such proceedings and appeals taken therefrom as if Pub. L. 103-94 had not been enacted, see section 12 of Pub. L. 103-94, set out as an Effective Date; Savings Provision note under section 7321 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 1980 AMENDMENT

Amended by Pub. L. 96-187 effective Jan. 8, 1980, see section 301(a) of Pub. L. 96-187, set out as a note under section 431 of Title 2, The Congress.

§ 604. Solicitation from persons on relief

Whoever solicits or receives or is in any manner concerned in soliciting or receiving any assessment, subscription, or contribution for any political purpose from any person known by him to be entitled to, or receiving compensation, employment, or other benefit provided for or made possible by any Act of Congress appropriating funds for work relief or relief purposes, shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 722; Pub. L. 103-322, title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 61d, 61g (Aug. 2, 1939, 11:50 a.m., E.S.T., ch. 410, §§ 5, 8, 53 Stat. 1148).

This section consolidates sections 61d and 61g of title 18, U.S.C., 1940 ed.

Minor changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$1,000”.

§ 605. Disclosure of names of persons on relief

Whoever, for political purposes, furnishes or discloses any list or names of persons receiving compensation, employment or benefits provided for or made possible by any Act of Congress appropriating, or authorizing the appropriation of funds for work relief or relief purposes, to a political candidate, committee, campaign manager, or to any person for delivery to a political candidate, committee, or campaign manager; and

Whoever receives any such list or names for political purposes—

Shall be fined under this title or imprisoned not more than one year, or both.

(June 25, 1948, ch. 645, 62 Stat. 722; Pub. L. 103-322, title XXXIII, § 330016(1)(H), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 61e, 61g (Aug. 2, 1939, 11:50 a.m., E.S.T., ch. 410, §§ 6, 8, 53 Stat. 1148).

This section consolidates sections 61e and 61g of title 18, U.S.C., 1940 ed.

Reference to persons aiding or assisting, contained in words “or to aid or assist in furnishing or disclosing” was omitted as unnecessary as such persons are made principals by section 2 of this title.

Changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$1,000”.

§ 606. Intimidation to secure political contributions

Whoever, being one of the officers or employees of the United States mentioned in section 602 of this title, discharges, or promotes, or degrades, or in any manner changes the official rank or compensation of any other officer or employee, or promises or threatens so to do, for giving or withholding or neglecting to make any contribution of money or other valuable thing for any political purpose, shall be fined under this title or imprisoned not more than three years, or both.

(June 25, 1948, ch. 645, 62 Stat. 722; Pub. L. 103-322, title XXXIII, § 330016(1)(K), Sept. 13, 1994, 108 Stat. 2147.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§ 210, 212 (Mar. 4, 1909, ch. 321, §§ 120, 122, 35 Stat. 1110).

This section consolidates sections 210 and 212 of title 18, U.S.C., 1940 ed.

Changes were made in phraseology.

AMENDMENTS

1994—Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$5,000”.

§ 607. Place of solicitation

(a) PROHIBITION.—

(1) IN GENERAL.—It shall be unlawful for any person to solicit or receive a donation of money or other thing of value in connection with a Federal, State, or local election from a person who is located in a room or building occupied in the discharge of official duties by an officer or employee of the United States. It shall be unlawful for an individual who is an officer or employee of the Federal Government, including the President, Vice President, and Members of Congress, to solicit or receive a donation of money or other thing of value in connection with a Federal, State, or local election, while in any room or building occupied in the discharge of official duties by an officer or employee of the United States, from any person.

(2) PENALTY.—A person who violates this section shall be fined not more than \$5,000, imprisoned not more than 3 years, or both.

(b) The prohibition in subsection (a) shall not apply to the receipt of contributions by persons on the staff of a Senator or Representative in, or Delegate or Resident Commissioner to, the Congress or Executive Office of the President, provided, that such contributions have not been solicited in any manner which directs the contributor to mail or deliver a contribution to any room, building, or other facility referred to in subsection (a), and provided that such contributions are transferred within seven days of receipt to a political committee within the meaning of section 302(e) of the Federal Election Campaign Act of 1971.

(June 25, 1948, ch. 645, 62 Stat. 722; Pub. L. 96-187, title II, §201(a)(5), Jan. 8, 1980, 93 Stat. 1367; Pub. L. 103-322, title XXXIII, §330016(1)(K), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 107-155, title III, §302, Mar. 27, 2002, 116 Stat. 96.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§211, 212 (Mar. 4, 1909, ch. 321, §§121, 122, 35 Stat. 1110).

This section consolidates sections 211 and 212 of title 18, U.S.C., 1940 ed.

This section was expanded to embrace all officers or persons acting on behalf of any independent agencies or Government-owned or controlled corporations by inserting words “or any department or agency thereof.” (See definitive section 6, and reviser’s note under section 201 of this title.)

Changes were made in phraseology.

REFERENCES IN TEXT

Section 302(e) of the Federal Election Campaign Act of 1971, referred to in subsec. (b), is classified to section 432(e) of Title 2.

AMENDMENTS

2002—Subsec. (a). Pub. L. 107-155, §302(1), added subsec. (a) and struck out former subsec. (a) which read as follows: “It shall be unlawful for any person to solicit or receive any contribution within the meaning of section 301(8) of the Federal Election Campaign Act of 1971 in any room or building occupied in the discharge of official duties by any person mentioned in section 603, or in any navy yard, fort, or arsenal. Any person who violates this section shall be fined under this title or imprisoned not more than three years, or both.”

Subsec. (b). Pub. L. 107-155, §302(2), inserted “or Executive Office of the President” after “Congress”.

1994—Subsec. (a). Pub. L. 103-322 substituted “fined under this title” for “fined not more than \$5,000”.

1980—Pub. L. 96-187 substituted provisions relating to the place of solicitation for provisions relating to the making of political contributions.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-155 effective Nov. 6, 2002, see section 402 of Pub. L. 107-155, set out as an Effective Date of 2002 Amendment; Regulations note under section 431 of Title 2, The Congress.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-187 effective Jan. 8, 1980, see section 301(a) of Pub. L. 96-187, set out as a note under section 431 of Title 2, The Congress.

§ 608. Absent uniformed services voters and overseas voters

(a) Whoever knowingly deprives or attempts to deprive any person of a right under the Uniformed and Overseas Citizens Absentee Voting Act shall be fined in accordance with this title or imprisoned not more than five years, or both.

(b) Whoever knowingly gives false information for the purpose of establishing the eligibility of any person to register or vote under the Uniformed and Overseas Citizens Absentee Voting Act, or pays or offers to pay, or accepts payment for registering or voting under such Act shall be fined in accordance with this title or imprisoned not more than five years, or both.

(Added Pub. L. 99-410, title II, §202(a), Aug. 28, 1986, 100 Stat. 929.)

REFERENCES IN TEXT

The Uniformed and Overseas Citizens Absentee Voting Act, referred to in text, is Pub. L. 99-410, Aug. 28, 1986, 100 Stat. 924, as amended, which is classified principally to subchapter I-G (§1973ff et seq.) of chapter 20 of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title of 1986 Amendment note set out under section 1971 of Title 42 and Tables.

PRIOR PROVISIONS

A prior section 608, acts June 25, 1948, ch. 645, 62 Stat. 723; Feb. 7, 1972, Pub. L. 92-225, title II, §203, 86 Stat. 9; Oct. 15, 1974, Pub. L. 93-443, title I, §101(a), (b), 88 Stat. 1263, 1266, set limitations on campaign contributions and expenditures, prior to repeal by Pub. L. 94-283, title II, §201(a), May 11, 1976, 90 Stat. 496. See section 441a of Title 2, The Congress.

EFFECTIVE DATE

Section applicable with respect to elections taking place after Dec. 31, 1987, see section 204 of Pub. L. 99-410, set out as a note under section 1973ff of Title 42, The Public Health and Welfare.

§ 609. Use of military authority to influence vote of member of Armed Forces

Whoever, being a commissioned, noncommissioned, warrant, or petty officer of an Armed Force, uses military authority to influence the vote of a member of the Armed Forces or to require a member of the Armed Forces to march to a polling place, or attempts to do so, shall be fined in accordance with this title or imprisoned not more than five years, or both. Nothing in this section shall prohibit free discussion of political issues or candidates for public office.

(Added Pub. L. 99-410, title II, §202(a), Aug. 28, 1986, 100 Stat. 929.)

PRIOR PROVISIONS

A prior section 609, act June 25, 1948, ch. 645, 62 Stat. 723, prescribed maximum contributions and expenditures limitation of \$3,000,000 for any calendar year, prior to repeal by Pub. L. 92-225, title II, §204, Feb. 7, 1972, 86 Stat. 10, effective sixty days after Feb. 7, 1972.

EFFECTIVE DATE

Section applicable with respect to elections taking place after Dec. 31, 1987, see section 204 of Pub. L. 99-410, set out as a note under section 1973ff of Title 42, The Public Health and Welfare.

§ 610. Coercion of political activity

It shall be unlawful for any person to intimidate, threaten, command, or coerce, or attempt to intimidate, threaten, command, or coerce, any employee of the Federal Government as defined in section 7322(1) of title 5, United States Code, to engage in, or not to engage in, any political activity, including, but not limited to, voting or refusing to vote for any candidate or measure in any election, making or refusing to make any political contribution, or working or refusing to work on behalf of any candidate. Any person who violates this section shall be fined under this title or imprisoned not more than three years, or both.

(Added Pub. L. 103-94, §4(c)(1), Oct. 6, 1993, 107 Stat. 1005; amended Pub. L. 104-294, title VI, §601(a)(1), Oct. 11, 1996, 110 Stat. 3497.)

PRIOR PROVISIONS

A prior section 610, acts June 25, 1948, ch. 645, 62 Stat. 723; May 24, 1949, ch. 139, §10, 63 Stat. 90; Oct. 31, 1951, ch. 655, §20(c), 65 Stat. 718; Feb. 7, 1972, Pub. L. 92-225, title II, §205, 86 Stat. 10; Oct. 15, 1974, Pub. L. 93-443, title I, §101(e)(1), 88 Stat. 1267, prohibited campaign contributions or expenditures by national banks, corporations, and labor organizations, prior to repeal by Pub. L. 94-283, title II, §201(a), May 11, 1976, 90 Stat. 496. See section 441b of Title 2, The Congress.

AMENDMENTS

1996—Pub. L. 104-294 substituted “fined under this title” for “fined not more than \$5,000”.

EFFECTIVE DATE; SAVINGS PROVISION

Section effective 120 days after Oct. 6, 1993, and no provision of Pub. L. 103-94 to affect any proceedings with respect to which charges were filed on or before 120 days after Oct. 6, 1993, with orders to be issued in such proceedings and appeals taken therefrom as if Pub. L. 103-94 had not been enacted, see section 12 of Pub. L. 103-94, set out as a note under section 7321 of Title 5, Government Organization and Employees.

§ 611. Voting by aliens

(a) It shall be unlawful for any alien to vote in any election held solely or in part for the purpose of electing a candidate for the office of President, Vice President, Presidential elector, Member of the Senate, Member of the House of Representatives, Delegate from the District of Columbia, or Resident Commissioner, unless—

(1) the election is held partly for some other purpose;

(2) aliens are authorized to vote for such other purpose under a State constitution or statute or a local ordinance; and

(3) voting for such other purpose is conducted independently of voting for a candidate for such Federal offices, in such a manner that

an alien has the opportunity to vote for such other purpose, but not an opportunity to vote for a candidate for any one or more of such Federal offices.

(b) Any person who violates this section shall be fined under this title, imprisoned not more than one year, or both.

(c) Subsection (a) does not apply to an alien if—

(1) each natural parent of the alien (or, in the case of an adopted alien, each adoptive parent of the alien) is or was a citizen (whether by birth or naturalization);

(2) the alien permanently resided in the United States prior to attaining the age of 16; and

(3) the alien reasonably believed at the time of voting in violation of such subsection that he or she was a citizen of the United States.

(Added Pub. L. 104-208, div. C, title II, §216(a), Sept. 30, 1996, 110 Stat. 3009-572; amended Pub. L. 106-395, title II, §201(d)(1), Oct. 30, 2000, 114 Stat. 1635.)

PRIOR PROVISIONS

A prior section 611, acts June 25, 1948, ch. 645, 62 Stat. 724; Feb. 7, 1972, Pub. L. 92-225, title II, §206, 86 Stat. 10; Oct. 15, 1974, Pub. L. 93-443, title I, §101(e)(2), 103, 88 Stat. 1267, 1272, prohibited campaign contributions by government contractors, prior to repeal by Pub. L. 94-283, title II, §201(a), May 11, 1976, 90 Stat. 496. See section 441c of Title 2, The Congress.

AMENDMENTS

2000—Subsec. (c). Pub. L. 106-395 added subsec. (c).

EFFECTIVE DATE OF 2000 AMENDMENT

Pub. L. 106-395, title II, §201(d)(3), Oct. 30, 2000, 114 Stat. 1636, provided that: “The amendment made by paragraph (1) [amending this section] shall be effective as if included in the enactment of section 216 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104-208; 110 Stat. 3009-572). The amendment made by paragraph (2) [amending section 1015 of this title] shall be effective as if included in the enactment of section 215 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (Public Law 104-208; 110 Stat. 3009-572). The amendments made by paragraphs (1) and (2) shall apply to an alien prosecuted on or after September 30, 1996, except in the case of an alien whose criminal proceeding (including judicial review thereof) has been finally concluded before the date of the enactment of this Act [Oct. 30, 2000].”

[§§ 612 to 617. Repealed. Pub. L. 94-283, title II, §201(a), May 11, 1976, 90 Stat. 496]

Section 612, acts June 25, 1948, ch. 645, 62 Stat. 724; Aug. 25, 1950, ch. 784, §2, 64 Stat. 475; Aug. 12, 1970, Pub. L. 91-375, §6(j)(7), 84 Stat. 777, regulated publication and distribution of political statements. See section 441d of Title 2, The Congress.

Section 613, added Pub. L. 89-486, §8(a), July 4, 1966, 80 Stat. 248; amended Pub. L. 93-443, title I, §101(d)(1)-(3), (4)(A), (e)(3), Oct. 15, 1974, 88 Stat. 1267, prohibited campaign contributions by foreign nationals. See section 441e of Title 2, The Congress.

Section 614, added Pub. L. 93-443, title I, §101(f)(1), Oct. 15, 1974, 88 Stat. 1268, prohibited making of campaign contributions in the name of another. See section 441f of Title 2, The Congress.

Section 615, added Pub. L. 93-443, title I, §101(f)(1), Oct. 15, 1974, 88 Stat. 1268, placed limitations on contributions of currency. See section 441g of Title 2, The Congress.

Section 616, added Pub. L. 93-443, title I, §101(f)(1), Oct. 15, 1974, 88 Stat. 1268, prohibited acceptance of excessive honorariums. See section 441i of Title 2, The Congress.

Section 617, added Pub. L. 93-443, title I, §101(f)(1), Oct. 15, 1974, 88 Stat. 1268, prohibited fraudulent misrepresentation of campaign authority. See section 441h of Title 2, The Congress.

SAVINGS PROVISION

Repeal by Pub. L. 94-283 not to release or extinguish any penalty, forfeiture, or liability incurred under such sections, with each section to be treated as remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of any penalty, forfeiture, or liability, see section 114 of Pub. L. 94-283, set out as a note under section 441 of Title 2, The Congress.

CHAPTER 31—EMBEZZLEMENT AND THEFT

Sec.	
641.	Public money, property or records.
642.	Tools and materials for counterfeiting purposes.
643.	Accounting generally for public money.
644.	Banker receiving unauthorized deposit of public money.
645.	Court officers generally.
646.	Court officers depositing registry moneys.
647.	Receiving loan from court officer.
648.	Custodians, generally, misusing public funds.
649.	Custodians failing to deposit moneys; persons affected.
650.	Depositaries failing to safeguard deposits.
651.	Disbursing officer falsely certifying full payment.
652.	Disbursing officer paying lesser in lieu of lawful amount.
653.	Disbursing officer misusing public funds.
654.	Officer or employee of United States converting property of another.
655.	Theft by bank examiner.
656.	Theft, embezzlement, or misapplication by bank officer or employee.
657.	Lending, credit and insurance institutions.
658.	Property mortgaged or pledged to farm credit agencies.
659.	Interstate or foreign shipments by carrier; State prosecutions.
660.	Carrier's funds derived from commerce; State prosecutions.
661.	Within special maritime and territorial jurisdiction.
662.	Receiving stolen property, ¹ within special maritime and territorial jurisdiction.
663.	Solicitation or use of gifts.
664.	Theft or embezzlement from employee benefit plan.
665.	Theft or embezzlement from employment and training funds; improper inducement; obstruction of investigations.
666.	Theft or bribery concerning programs receiving Federal funds.
667.	Theft of livestock.
668.	Theft of major artwork.
669.	Theft or embezzlement in connection with health care.

AMENDMENTS

1996—Pub. L. 104-294, title VI, §601(f)(7), Oct. 11, 1996, 110 Stat. 3500, inserted comma after “embezzlement” in item 656.

Pub. L. 104-191, title II, §243(b), Aug. 21, 1996, 110 Stat. 2017, added item 669.

1994—Pub. L. 103-322, title XXXII, §320902(d)(1), Sept. 13, 1994, 108 Stat. 2124, added item 668.

1984—Pub. L. 98-473, title II, §§1104(b), 1112, Oct. 12, 1984, 98 Stat. 2144, 2149, added items 666 and 667.

¹ So in original. Does not conform to section catchline.

1978—Pub. L. 95-524, §3(b), Oct. 27, 1978, 92 Stat. 2018, substituted “employment and training funds” for “manpower funds” and inserted “; obstruction of investigations” after “improper inducement” in item 665.

1973—Pub. L. 93-203, title VII, §711(b), formerly title VI, §611(b), Dec. 28, 1973, 87 Stat. 882, renumbered Pub. L. 93-567, title I, §101, Dec. 31, 1974, 88 Stat. 1845, added item 665.

1966—Pub. L. 89-654, §1(e), Oct. 14, 1966, 80 Stat. 904, substituted “shipments by carrier” for “baggage, express or freight” in item 659.

1962—Pub. L. 87-420, §17(b), Mar. 20, 1962, 76 Stat. 42, added item 664.

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION

Application of general penal statutes relating to larceny, embezzlement, or conversion of public moneys or property of the United States, to moneys and property of Saint Lawrence Seaway Development Corporation, see section 990 of Title 33, Navigation and Navigable Waters.

§ 641. Public money, property or records

Whoever embezzles, steals, purloins, or knowingly converts to his use or the use of another, or without authority, sells, conveys or disposes of any record, voucher, money, or thing of value of the United States or of any department or agency thereof, or any property made or being made under contract for the United States or any department or agency thereof; or

Whoever receives, conceals, or retains the same with intent to convert it to his use or gain, knowing it to have been embezzled, stolen, purloined or converted—

Shall be fined under this title or imprisoned not more than ten years, or both; but if the value of such property in the aggregate, combining amounts from all the counts for which the defendant is convicted in a single case, does not exceed the sum of \$1,000, he shall be fined under this title or imprisoned not more than one year, or both.

The word “value” means face, par, or market value, or cost price, either wholesale or retail, whichever is greater.

(June 25, 1948, ch. 645, 62 Stat. 725; Pub. L. 103-322, title XXXIII, §330016(1)(H), (L), Sept. 13, 1994, 108 Stat. 2147; Pub. L. 104-294, title VI, §606(a), Oct. 11, 1996, 110 Stat. 3511; Pub. L. 108-275, §4, July 15, 2004, 118 Stat. 833.)

HISTORICAL AND REVISION NOTES

Based on title 18, U.S.C., 1940 ed., §§82, 87, 100, 101 (Mar. 4, 1909, ch. 321, §§35, 36, 47, 48, 35 Stat. 1095, 1096-1098; Oct. 23, 1918, ch. 194, 40 Stat. 1015; June 18, 1934, ch. 587, 48 Stat. 996; Apr. 4, 1938, ch. 69, 52 Stat. 197; Nov. 22, 1943, ch. 302, 57 Stat. 591.)

Section consolidates sections 82, 87, 100, and 101 of title 18, U.S.C., 1940 ed. Changes necessary to effect the consolidation were made. Words “or shall willfully injure or commit any depredation against” were taken from said section 82 so as to confine it to embezzlement or theft.

The quoted language, rephrased in the present tense, appears in section 1361 of this title.

Words “in a jail” which followed “imprisonment” and preceded “for not more than one year” in said section 82, were omitted. (See reviser’s note under section 1 of this title.)

Language relating to receiving stolen property is from said section 101.

Words “or aid in concealing” were omitted as unnecessary in view of definitive section 2 of this title. Procedural language at end of said section 101 “and such